

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

CARL HUTTO, #148 575,

Plaintiff,

v.

TERRANCE ROSE, *et al.*,

Defendants.

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CASE NO. 2:06-cv-328-WKW

ORDER

The Magistrate Judge filed a Recommendation (Doc. # 27) in this case to which no timely objections have been made. After an independent review of the file in this case and upon consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge (Doc. # 27) is ADOPTED;
2. The plaintiff's claims against defendants Rose, Suggs, Griggs, and McWhorter are DISMISSED without prejudice and these defendants are DISMISSED as parties to the complaint;
3. This case is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 31st day of July, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE